

ENTERED

July 13, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TRANCIT RODRIGUEZ,	§	
	§	
VS.	§	CIVIL ACTION NO. 3:19-cv-00209
	§	
PHILLIPS 66 COMPANY.	§	

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On February 23, 2021, all dispositive pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1)(B). Dkt. 24. Judge Edison filed a memorandum and recommendation on June 4, 2021, recommending that Phillips 66 Company's Motion for Summary Judgment (Dkt. 19) be granted and this case dismissed. *See* Dkt. 35.


On June 18, 2021, the plaintiff filed his objections to the memorandum and recommendation, and the defendant responded on July 2, 2021. *See* Dkts. 36, 37. In accordance with 28 U.S.C. § 636(b)(1)(C), this court is required to "make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection [has been] made." After conducting this de novo review, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The court has carefully considered the objections, the response, the memorandum and recommendation, the pleadings, and the record. The court accepts Judge Edison's

memorandum and recommendation and adopts it as the opinion of the court. It is therefore ordered that:

- (1) Judge Edison's memorandum and recommendation (Dkt. 35) is approved and adopted in its entirety as the holding of the court;
- (2) Defendant Phillips 66 Company's motion for summary judgment (Dkt. 19) is granted; and
- (3) This case is dismissed with prejudice. Final judgment will be separately entered.

Signed on Galveston Island this 13th day of July 2021.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE